

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MICHEL RIDGELY,)
Plaintiff)
v.) Civil Action 5-1033 (GK)
ELAINE CHAO)
Defendant)

JOINT RULE 16.3(c)/RULE 26(f) REPORT

Pursuant to Federal Rule of Civil Procedure 26(f) and Local Civil Rule 16.3(c) of the Rules of the United States District Court for the District of Columbia, a telephonic meeting of counsel for the parties was held on January 6, 2006. The following report is submitted.

Statement of the Claims and Defenses

The defendant has filed a motion to dismiss or in the alternative for Summary Judgment claiming improper venue, untimely contact with the EEO, election of the grievance procedure, failure to state a claim upon which relief can be granted. Defendant also claims that plaintiff has failed to state an adverse employment action, that any alleged adverse action in paragraph 11 relating to failure to promote was corrected prior to plaintiff filing suit in this Court. Those defenses and plaintiff's responses thereto are set forth in detail in the motion and responsive documents. Defendant also denies all allegations of discrimination and retaliation.

With regard to the numbered paragraphs of Local Rule 16.3(c), counsel report as follows:

1. Plaintiff submits that this case is unlikely to be disposed of by dispositive motion. Defendant believes that all or part of this case may be resolved by dispositive motion. The parties recommend that discovery be stayed while this Court makes its decision of defendant's motion.
2. The parties believe at this time that no other parties will be joined, pleadings

amended or factual or legal issues narrowed.

3. The parties do not consent to assignment of this case to a Magistrate Judge for purposes other than mediation.

4. The defendant does not know at this time if there is a possibility of settling the case. Plaintiff believes that there is a possibility of settling the case, but not at this time. Both parties believe that settlement negotiations should be held in abeyance pending this Court's decision on defendant's dispositive motion.

5. The case may benefit from the Court's alternative dispute resolution process or some other form of ADR. However any form of ADR should be held in abeyance pending this Court's decision on defendant's dispositive motion.

6. The parties propose that any dispositive and or cross-motions should be filed thirty days after discovery closes. Any oppositions or responses should be filed 30 days after dispositive motions are filed. Replies should be filed 15 days after oppositions or responses are filed.

7. The parties agree that Initial Disclosures pursuant to Fed. R. Civ. P. 26(a)(1) should be stayed until the court makes its decision on defendant's pending motion.

8. The parties propose that fact discovery be stayed until after the Court rules on defendant's motion. The parties propose that fact discovery be completed in 120 days after the Court's decision is filed.

9. The parties agree that it is unnecessary to modify the requirement of exchange of expert witness reports and information pursuant to Rule 26(a)(2), Fed. R. Civ. P. The parties agree that a decision on whether and when depositions of experts should occur will be held in abeyance pending the results of fact discovery.

10. N/A.

11. The parties agree that it is unnecessary to bifurcate or manage the trial in phases.

12. The parties propose that the Pretrial Conference be held 30 days following ruling on post discovery dispositive motions.

13. The parties propose that the trial date be set at the Pretrial Conference.

14. Other matters: None.

Respectfully submitted,

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